

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

February 27, 2017

The regular meeting of the Board of Trustees was called to order at 7:00 P.M., with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Brendan G. Coyne
Deputy Mayor Mark J. Edsall
Trustee James P. Kane
Trustee David Carnright
Trustee Kenneth A. Schmidt

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, and Village Clerk Jeanne Mahoney.

Absent was: Attorney for the Village Joseph McKay (standing meeting in South Blooming Grove)

Mayor Coyne asked for a Moment of Silence in honor of Floranne Moulton who passed away on February 23rd. Mrs. Moulton, a well-respected member of the community, was head teacher at Cornwall-on-Hudson Elementary School for many years, and the wife of former Village Mayor Edward Moulton.

Mayor Coyne announced that there is a binder on the back table for anyone interested in looking at resolutions and meeting-related documents that will be discussed this evening.

PUBLIC COMMENT

Martha McMaster – of 41 River Avenue is requesting a “concerted effort” to alleviate speeding and address skateboarding on River Avenue. She feels both create a dangerous situation.

Gary Curasi - of 42 River Avenue offered to share copies of “9 or 10” police reports involving vehicles “crashing” into his property. He is also requesting action be taken to stop speeding along River Avenue.

Mr. Curasi also stated that last year he received 2 water bills that were “way beyond the capacity” of what he uses. A plumber checked and found no leaks in his home. After Mr. Curasi made a complaint to the Water Department back in February of 2016, the meter was replaced and the problem was “solved”. Shortly after his attorney sent a letter to the Water Department requesting an adjustment for the high consumption, he received a bill for the new meter.

Mayor Coyne reminded Mr. Curasi that he was told in advance that he would be responsible to pay for a new meter if the one it replaced tested accurately.

Deputy Mayor Edsall asked Water Superintendent June if the water meter that was removed from Mr. Curasi's home was sent out for testing. Mr. June responded that the meter was tested and found to be working accurately.

Mayor Coyne offered to meet with Mr. Curasi and the Water Superintendent later this week to discuss this matter.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter signed by several residents of Avenue A thanking the Village Board for taking action on their traffic concerns.
- Letter from Congressman Maloney announcing that anyone interested in learning more about funding for high hazard dam assistance should contact his office.

MINUTES

Mayor Coyne made a motion to accept the January 23, 2017 Business Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to accept the February 13, 2017 Special Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

TREASURER'S REPORT

The open utility balances report for the end of January read as follows:

Village water, sewer, garbage & penalties	\$ 36,770.61
Town water & penalties	291,749.85

which included 3 finals/adjustments for the Village and 1 for the Town.

Warrant #2 & 2A — Trustee Carnright made a motion to approve February 2017 Warrants #2 & 2A and authorize payment totaling \$422,230.10, which was seconded by Trustee Schmidt and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$6,351,268.69 (89.40%) in anticipated revenues and \$6,318,757.52 (88.20%) in anticipated expenditures through the end of January.

The Sewer Capital Fund balance is \$145,952.62 (including interest) through January 31st.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 8 building permits were issued, 7 certificates of compliance/occupancy were issued, 4 onsite inspections were performed, 1 violation was issued (26 First St.-rubbish in front yard), 2 fire inspections were conducted, and 4 municipal searches were completed. Inspector Maggio worked 80 hours in January.

Fire Department — Deputy Mayor Edsall reported 1 structure fire, 3 automatic alarms, 3 medical calls, 1 good intent call, 1 mutual aid call, 1 meeting, 11 drills, 6 work details, and 2 CPR/AED training details for a total of 29 events and 219.87 volunteer man hours.

Deputy Mayor Edsall further reported that the state grant is progressing, 5 sets of new turnout gear have been ordered (delivery is expected in April), and work continues on preparing specifications for a new pumper-tanker.

Mr. Edsall made a motion authorizing Mayor Coyne to sign a Bill of Sale and agreement with Vails Gate Fire Department to purchase a used Self Contained Breathing Apparatus “SCBA” tank refilling compressor unit in “as is” condition for \$2,000.00. Mr. Edsall noted that a new unit would cost approximately \$60,000. An inspection of the unit was conducted by Fire Chief Armitage and Asst. Chief Trainor, and it is in good operating condition. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne thanked the Vails Gate Fire Department for their cooperation with Storm King Engine Co. #2.

Police Department Trustee Kane reported 3 misdemeanor criminal mischief, 1 misdemeanor petty larceny, 2 felony arrests, 5 misdemeanor arrests, 1 violation arrest, 2 warrant arrests, 1 personal injury accident, 57 traffic summons issued, 47 traffic warnings issued, 4 parking summons issued, 5 fire response calls, 4 domestic incident calls, 5 alarm response calls, 3 noise complaints, 4 suspicious person calls, 2 suspicious vehicle calls, 1 suspicious activity call, 4 animal complaints, 2 disorderly adult calls, 6 assists to the Town of Cornwall Police Department, 3 EMS assist calls, 7 assists to other agencies, 1 welfare check, and 4 assists to citizen for a total of 369 total calls for service.

On behalf of Chief Dixon, Trustee Kane acknowledged P.O. Theo Dawydko’s efforts in the investigation and subsequent arrests of 2 suspects who committed a residential burglary in the Village. Through determination and excellent investigative skills, Officer Dawydko was able to formally close out the case.

Department of Public Works — Trustee Schmidt reported 103.50 tons of trash was collected, 28.36 tons of recycling was collected, cold patching of potholes, cutting of roadside brush, updating of worn and faded regulatory signs (speed, stop) and no parking signs, service and repairs to Village owned vehicles, in-house safety training for employees, plowing of roads and sidewalks during storms, snow removal in the business district as well as parking areas on Hudson Street and parking lots. The department has been pre-treating the roadway ahead of storms with excellent results.

Trustee Schmidt further reported that DPW Superintendent Halvorsen will be on vacation from March 10th – 19th.

LEASE TO PURCHASE 2017 CHEVY TAHOE

Mayor Coyne made a motion authorizing the execution of a 5 year lease for a new 2017 Chevy Tahoe not to exceed \$47,000 for use by the DPW Superintendent, with the understanding the DPW Superintendent's current Ford vehicle will be turned over to the Village Building Inspector. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Water Department — Trustee Schmidt reported an average daily production of 859,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 20). A total of 8 meters were replaced, 7 miscellaneous repairs were completed, and 2 final meter readings were done. A fire hydrant valve box was repaired on Hudson St and Academy Ave., fill pipe was reinstalled in Black Rock clear well, pressure reduction valves (PRV's) were rebuilt at Route 9W and Cornwall Townhouses, Quaker Ave and Quaker Meeting House, distribution system pressures on all PRV's were adjusted, routine maintenance was performed on upper and lower PRV's at Black Rock treatment plant for startup, and vehicle maintenance was completed. In addition, the department assisted the Department of Public Works with snow removal from all Village streets, completed snow removal from all fire hydrants, and completed plow maintenance.

Mayor Coyne is in receipt of a report from the NYS Department of Health (DOH) regarding the study done on our wells back in the fall. Mayor Coyne is pleased to announce that the second round of testing performed by the DOH detected very low levels of PFOS and PFOA (contaminants that were found in the City of Newburgh and Town of New Windsor) in our well system. The concentrations detected are well below the U.S. Environmental Protection Agency health advisory level of 70 parts per trillion. This confirms that the water is acceptable for all uses. The testing was conducted as part of a targeted sampling effort by the NYS Department of Health and Environmental Conservation to test selected regulated drinking water systems near facilities suspected to be frequent users of PFOA and PFOS such as airports and military installations.

DOUGLAS SEELY RETIREMENT – MARCH 10, 2017

Mayor Coyne welcomed Douglas Seely to tonight's meeting. Mayor Coyne thanked Doug for his long and valued service to the Village. Mayor Coyne has gotten to know Doug well over the past 6 years, and his cheerfulness and good work are appreciated.

Deputy Mayor Edsall stated that good people make this Village work, and Doug has been dedicated and provided a good example to new employees. Mr. Edsall is in receipt of a letter from residents of Kelly Lane thanking the Village Water Department employees for "great ethics", for being "extremely polite", for communicating what the problems were and then providing good support. Mr. Edsall said it's people like Doug who provide good, polite, and talented service to the Village that make us all look good.

Trustee Kane thanked Doug for his 32 years of service to the Village and wished him the best of luck in retirement. Doug has always been reliable, a hard-worker, and a good role model to the younger employees.

Trustee Schmidt thanked Doug for his long service to the Village and congratulated him on his well-deserved retirement.

Trustee Carnright thanked Doug for his years of service to the Village and wished him good health and a long retirement.

Water Superintendent June stated that Doug has been a “fantastic” employee who he could depend on. Doug will be sorely missed.

Doug Seely thanked Water Superintendent June and the Village Board for being his employer all these years and for standing by him during difficult times.

RESOLUTIONS

COMPREHENSIVE PLAN COMMITTEE – APPROVAL OF SCOPE

Mayor Coyne made a motion to approve the scope of the Comprehensive Plan Committee which was accepted at their February 23, 2017 meeting. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

KIRYAS JOEL – WELL MONITORING

Mayor Coyne made a motion authorizing the expenditure of an amount not to exceed \$25,000 to monitor Kiryas Joel (KJ) well. The motion was seconded by Trustee Carnright.

Deputy Mayor Edsall has previously stated his concerns about this effort which is not about monitoring the well but rather about monitoring the stream. Mr. Edsall has not been apprised as to how monitoring the stream will be beneficial in proving there is an inappropriate withdraw coming from the well, so he remains “unconvinced”. Mr. Edsall stated that we already had a difficult time proving to the DEC that the drawdown from the well had an impact on the stream. Now we are trying to prove that monitoring the stream will prove what is going on with the well.

After lengthy discussion Mayor Coyne stated that he will circulate an engineering report to the Village Board and then tabled this item for discussion at the March meeting.

INTRODUCTORY LOCAL LAW – “ZOMBIE UTILITY POLES”

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the Village Board desires to require utilities that use Village highways, streets, roads and rights-of-way to promptly remove their plants, cables, lines, equipment, and terminals from old and damaged poles; and

WHEREAS, the Village Board desires to require the prompt removal of double “zombie” poles once all plants, cables, lines, equipment, and terminals have been removed;

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider this proposed local law;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and let it be further

RESOLVED, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and let it be further

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed local law requiring utility companies to remove inactive, broken or replaced utility poles within the Village, and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on March 27, 2017, at 7:01 p.m., or as soon thereafter as it may be heard, at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

ORANGE COUNTY STOP DWI AGREEMENT

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the County of Orange has funds to be distributed to local law enforcement agencies for the purpose of conducting enforcement activities related to the STOP DWI program; and

WHEREAS, the Village of Cornwall on Hudson does wish to participate in said program,

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Cornwall-on-Hudson approves the receipt of said funds on behalf of the Village of Cornwall on Hudson Police Department from the County of Orange and authorizes Mayor Brendan G. Coyne, to execute all necessary contracts and documentation for the year 2017 in regard to available funds.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

2017 - 2018 INSURANCE

Clerk Mahoney reported that the McKane Group, the Village's insurance broker, has joined the Reis Group, and provided an insurance proposal from CNA – National Fire Insurance Co. of Hartford. The premium will be \$159,402.00. Last year's premium was \$157,728.00.

Mayor Coyne made a motion to accept the Reis Group insurance proposal in an amount not to exceed \$159,402.00 which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

CORRECTION TO TAX ROLL

Clerk Mahoney reported that parcel 103-1-13.2, owned by Joan T. Diorio, was donated to the Village of Cornwall-on-Hudson in 2016; however the property transfer was not filed with the Orange County Clerk's Office until January 26, 2017. Since this filing occurred after the Village's taxable status date, a tax bill in the amount of \$127.04 was generated. A correction to the tax roll is required to remove this amount.

Mayor Coyne made a motion authorizing a correction to reduce the 2017 tax roll by the amount of \$127.04 which seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

HUDSON HIGHLANDS LAND TRUST – CONSERVATION AGREEMENTS

Mayor Coyne thanked David & Jeannette Redden for giving conservation agreements to the Hudson Highlands Land Trust.

ENERGY PRICING

Clerk Mahoney has signed a 24 month renewal contract with Direct Energy for savings on the Village's electric bills through a consulting agreement with M&R Energy for \$0.0629 per kilowatt hour. Based on our annual usage, the Village may realize an additional savings of \$7,275.00.

VILLAGE ELECTION

Mayor Coyne reporting that the Village Election will take place on March 21st. Registration Day will take place on Saturday, March 11th from 12:00 PM – 5:00 PM in the Village Hall Board Room.

CORNWALL VOLUNTEER AMBULANCE CORP (COVAC) – INTERMUNICIPAL AGREEMENT

Deputy Mayor Edsall reported that memo's from Storm King Engine Co. to the Village Board have been shared with the attorneys for the Village and Town of Cornwall. This item was tabled for discussion in closed session later this evening.

COMPREHENSIVE PLAN COMMITTEE – UPDATE

Mayor Coyne reported that the Village Clerk, DPW Superintendent and Water Superintendent attended the Comprehensive Plan Committee meeting on February 23rd.

FEE SCHEDULE – SET PUBLIC HEARING DATE

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the Village Board desires to establish a schedule of fees to be reviewed annually; and

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider this proposed local law;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and let it be further

RESOLVED, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and let it be further

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed local law to establish an annual fee schedule, and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on March 27, 2017, at 7:02 p.m., or as soon thereafter as it may be heard, at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

CLEAN ENERGY COMMUNITY - UPDATE

Mayor Coyne reported that he and Code Enforcement Officer Ben Maggio recently attended a meeting in Newburgh with local officials to discuss clean energy options.

5 RIVER AVENUE - SEASONAL OUTDOOR DINING

Mayor Coyne reported that a letter will be sent to Anthony Missere, owner of the property located at 5 River Avenue regarding the license agreement due to expire February 28th.

GOVERNOR'S PLAN FOR MUNICIPAL CONSOLIDATION

Mayor Coyne reported that the Village Board will discuss this item at the March work session. Mayor Coyne will then prepare a response to Governor Cuomo's plan to link municipal state aid to legislative approval of his mandate on counties to hold a referendum on a county-designed municipal consolidation plan.

TREE INVENTORY PROJECT

Mayor Coyne reported that the Village is working on a "Tree Inventory" project along with the Town of Cornwall and the Cornwall School District with assistance from Niklas Moran. Mayor Coyne is hopeful that this will be helpful in learning what trees needed to be replaced and in what areas we might add trees. This will not only help to beautify the Village, but make it a healthier place to live.

STORM KING MOUNTAIN ROUNDTABLE

Mayor Coyne attended a meeting on February 24th which was arranged by Kurt Hahn, our Emergency Manager. Mayor Coyne thanked Mr. Hahn for organizing this meeting of law enforcement and local officials to discuss ways to make Route 9W safer to travel in the winter. After similar meeting was held 2 years ago, mile markers were installed along Route 9W.

MELISSA FUND SUN RUN – MAY 20, 2017

Mayor Coyne announced that the "Melissa Fund Sun Run" has been moved from Saturday, May 13th to May 20th.

NON-UNION EMPLOYEE'S AGREEMENTS

Mayor Coyne tabled this item for discussion in closed session later this evening.

FYI

CORNWALL-ON-HUDSON ELEMENTARY SCHOOL PLAYGROUND

Mayor Coyne attended a fund raiser this past Friday at Palaia Winery to help update and make repairs at the playground at Cornwall-on-Hudson Elementary School, particularly to help children with disabilities. The committee is seeking volunteers and hopes to start in August.

PUBLIC COMMENT

Peter Russell, Town of Cornwall Councilman and resident of 16 Barr Avenue, would like Deputy Mayor Edsall to speak with the Town Board about his concerns regarding Kiryas Joel's well. It is possible that the KJ well will go "on" this spring and we are in "unchartered territory". In addition the aqueduct is going to be shut down for maintenance. Water is a valuable resource and affects us all. In the end it will come down to "what did you do" when the crisis hits.

With regard to the COVAC agreement, Mr. Russell urges the Village Board to approach this objectively and not let "egos get in the way" on any of these decisions. Emergency services are 24 hour/7 days a week.

In addition, Mr. Russell agrees that Governor Cuomo's plan for municipal consolidation is "not the best way to go". Large government is not necessarily responsive government.

Mayor Coyne reported that Town Supervisor Randazzo recently approached Governor Cuomo after a press conference concerning the Exit 131 interchange at Route 17. Mr. Randazzo asked about the proposed pipeline and the Governor agreed to meet with him.

Helen Bunt, Town of Cornwall Deputy Supervisor asked if the Village Board will take be taking action after Executive Session this evening.

Mayor Coyne replied that no further action is expected after closed session this evening.

Deputy Mayor Edsall stated that the Village is in a different position with regard to COVAC than the Town because our fire department can run EMS calls. That aspect must be coordinated with COVAC.

With regard to the KJ well, Mr. Edsall doesn't want his concerns misunderstood as him not wishing to monitor KJ to the maximum extent possible. His point is to get the most for our money and do it in a way that will get us the best case should we have to prove that there is inappropriate withdraws being made.

Deputy Supervisor Bunt stated one of the proposals was to monitor the well and the stream; however, it was very expensive. It is her understanding that they already said the stream is going to be depleted. Monitoring is needed to show that it is going down beyond that and then the DEC is supposed to "do something". We can't just "sit back and do nothing".

BOARD ACTIVITIES/COMMENTS

Trustee Kane wished Doug Seely good luck in his retirement.

Trustee Schmidt offered his condolences to the Moulton family for their loss. He worked with Floranne for many years at Cornwall-on-Hudson Elementary School. She was a wonderful woman and great educator. Mr. Schmidt again congratulated Doug on his retirement.

Trustee Carnright congratulated Doug Seely on his retirement. He also offered his condolences to the Moulton family. Ed and Floranne have been great public servants and Mr. Carnright is glad they were the Grand Marshall's of the 2016 July 4th parade.

Deputy Mayor Edsall stated that when he first ran for the Village Board 18 years ago, Floranne was very supportive and nice to him. She touched so many lives and will be missed. He also congratulated Doug Seely and hopes he enjoys retirement.

Mayor Coyne stated he has enjoyed getting to know Doug Seely over the past 6 years. He offered his condolences and prayers to the Moulton family for their loss. Floranne did a lot for the Cornwall schools, was involved with the July 4th committee for many years, and Mayor Coyne is happy Ed and Floranne were Grand Marshall's of last year's parade.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting into a closed meeting at 8:10 PM to discuss the Inter-Municipal Agreement with COVAC, non-union employment agreements, and potential litigation. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.